

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LIBERTY MUTUAL INSURANCE COMPANY, a No. C 03-02502 WHA
Massachusetts Corporation,

Plaintiff,

v.

**ORDER DECLINING TO
IMPOSE ANY SANCTIONS**

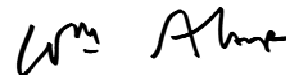
HENRY D. HOGE, an individual; DOÑA P.
HOGE, an individual; PATRICIA HOGE
LEWINE, an individual; MICHAEL D. LEWINE,
an individual; HENRY D. HOGE AND DOÑA P.
HOGE FAMILY TRUST, a trust; HOGE
PERSONAL RESIDENCE TRUST, a trust;
HENRY D. HOGE, a trustee; and DOÑA P. HOGE,
a trustee,

Defendants.

The Court has considered the parties' responses regarding whether sanctions are appropriate and declines to sanction defendants or defendants' counsel for "inadvertently" proffering sworn, affirmative misrepresentations during summary judgment.

IT IS SO ORDERED.

Dated: October 7, 2005



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE